

IFW

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

4

Application Number

10/676,946

Filing Date

September 30, 2003

First Named Inventor

Kristin L. Jambor

Art Unit

3721

Examiner Name

Attorney Docket Number

END-5083

### ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☒

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/  
Incomplete Application

☐

Reply to Missing Parts  
under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a  
Provisional Application

☐

Power of Attorney, Revocation  
Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

☐

After Allowance Communication to TC

☐

Appeal Communication to Board  
of Appeals and Interferences

☐

Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify  
below):

Substitute Form PTO 1449

Copies of Foreign References

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Frost Brown Todd LLC

Signature

Printed name

Edwin R. Acheson, Jr.

Date

August 11, 2005

Reg. No.

31,808

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Carol Ann Miller

Typed or printed name

Carol Ann Miller

Date

August 11, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**PATENT**

**26874**

PATENT TRADEMARK OFFICE

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicant: Jambor et al. : Paper No:  
Serial No. 10/676,946 : Group Art Unit: 3721  
Filed: September 30, 2003 : Examiner:  
For: SEGMENTED GASTRIC BAND

**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop: AMENDMENT  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. §§1.97 and 1.98, Applicant herewith submits certain information, which the Patent & Trademark Office may wish to consider in examining the above-identified application. The information is listed below, and are also listed on the attached form PTO-1449.

<b><u>REFERENCES</u></b>	<b><u>INVENTOR</u></b>	<b><u>ISSUE DATE</u></b>
US 5,449,368	Kuzmak	09/12/1995
US 6,461,292	Forsell	10/08/2002
US6,470,892	Forsell	10/29/2002
US 2002/0198548	Robert	12/26/2002
US 2003/0105385A1	Forsell	06/05/2003
US 2003/0114729A1	Forsell	06/19/2003
EP 1,281,360	Egle	07/20/2002
WO 01/52777	Benchetrit	07/26/2001

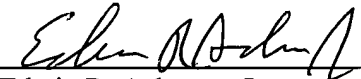
Copies of the listed references are provided. No representation is made or intended that a prior art search has been made or that no better art than the listed is available. It is respectfully requested that the information be considered by the Examiner and made of record in the present application.

**Serial No. 10/676,946**  
**Customer No. 26874**

The Assistant Commissioner for Patents is authorized to charge any deficiency or credit any overpayment to Frost Brown Todd LLC Deposit Account No. 06-2226.

Respectfully submitted,  
Kristin L. Jambor, et al.

Dated: August 10, 2005

  
Edwin R. Acheson, Jr.  
Registration No. 31,808  
Telephone (513) 651-6708  
FROST BROWN TODD LLC  
2200 PNC Center  
201 East Fifth Street  
Cincinnati, Ohio 45202-4182  
Customer No. 26874

**CERTIFICATE OF MAILING**

I hereby certify that a copy of this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to Commissioner of Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 this 11 day of August, 2005.



